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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/495,898	02/02/2000	Rod Stambaugh	032397-009	5435

21839 7590 09/12/2002

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EXAMINER

SOUGH, HYUNG SUB

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 09/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/495,898

Applicant(s)

STAMBAUGH, ROD

Examiner

Hyung S. Sough

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length: Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8-10, 14-16, and 17-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Claims 11 and 12, line 2, it is not clear whether “transaction information” is referring to “the first transaction information” or “the second transaction information”, respectively.

- Claim 14, line 3, should “a transaction terminal” be either --the transaction terminal-- or --said transaction terminal--?

- Claim 17, line 7, should “multiple transaction terminal” be either --the multiple transaction terminal-- or --said multiple transaction terminal--?

Line 9, “linking the server to multiple” what?

Applicant is advised to carefully review all the claims for further needed corrections.

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Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-5 and 11-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Pare, Jr. et al. (Pare hereinafter: US PAT. 5,870,723).

Re claims 1, 2, 17, and 18: Pare discloses a method of transaction processing, comprising: a user bringing a record-bearing medium (e.g., col. 23, lines 16-27, smart card) in operational proximity to a transaction terminal (e.g., RPT) to allow the transaction terminal to receive information from the record-bearing medium; the transaction terminal accessing a communications network and sending first transaction information across the communications network (e.g., col. 58, line 26, RPT→DPC); receiving and processing the first transaction information at a server (e.g., col. 58, lines 27-28, DPC); and the server (e.g., DPC) sending

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second transaction information to a further destination (e.g., col. 58, lines 29-30). Pare further discloses a transaction processing network, comprising: multiple transaction terminals wherein a user bringing a recordbearing medium in operational proximity to a transaction terminal to allow the transaction terminal to receive information from the record-bearing medium; a server; a first network segment linking multiple transaction terminals to the server; and a second network segment linking the server to multiple further destinations (e.g., FIG. 1), wherein at least one of the further destinations is a transaction processor installation (e.g., "Credit/Debit Issuer").

Re claims 3 and 19: Pare discloses that the transaction terminal wirelessly accesses the communications network (e.g., col. 14, lines 6-9).

Re claims 4 and 20: Pare discloses that the transaction terminal includes an output device, and the server controls presentation of information to a user through the output device (col. 58, line 30 Pare discloses "DPC→RPT <Transaction Response Message>". Thus, RPT inherently would have an output device to show the message to the user).

Re claims 5 and 21: Pare discloses the use of LCD The method of Claim 4, wherein the output device is a display.

Re claims 11-13: Pare discloses that the server captures and stores transaction information in real time (e.g., col. 37, line 15) and customers are provided with secure access to their respective transaction information via a Web browser (e.g., col. 42, lines 6-14).

Re claim 14-16: Pare discloses that a customer communicating via the Web to the server a desired action with respect to a transaction terminal, the server communicating with one of a

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wireless network and a transaction terminal to carry out the desired action which is terminal activation/deactivation or terminal diagnostics (e.g., col. 42, lines 6-14).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-10 and 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pare in view of Katseff et al. (Katseff hereinafter: US PAT. 6,075,796).

Re claims 6-10 and 22-26: Pare does not explicitly disclose that (a) the first transaction information is transported using a first protocol/format and the second transaction information is transported using a second different protocol/format, wherein the first protocol has lower overhead than the second protocol or the first format is more compact than the second format, (b) the server reformats the transaction information from the first format to the second format, and (c) the server stores locally information about various transaction terminals and uses this information to reformat the transaction information from the first format to the second format. However, Katseff teaches the use of these features “to minimize latency and to improve efficiency and quality of packet transmission in applications including Internet telephony.” (e.g., col. 1, lines

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8-13; col. 2, lines 19-56; and col. 6) Thus, it would have been obvious to one of ordinary skill in the art to modify the method of Pare by adopting the teaching of Katseff "to minimize latency and to improve efficiency and quality of packet transmission" for the claimed method.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reber et al. (US PAT. 5,903,767) disclose transaction methods, system, and devices using a first and second data.

Kolling et al (US PAT. 5,920,847) disclose electronic bill payment system using PC, telephone keypad, screen telephone or PDA.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hyung S. Sough whose telephone number is (703) 308-0505. The Examiner can normally be reached Monday-Friday from 8:30 AM - 4:00 PM EST.

If attempts to reach the Examiner by telephone are unsuccessful, The Examiner's Supervisor, James P. Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

*Commissioner of Patents and Trademarks
Washington D.C. 20231*

or faxed to:

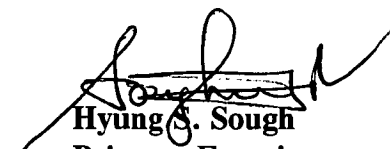
(703)305-7687

[Official communications; including
After Final communications labeled
"Box AF"]

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(703) 746-8177 [Informal/Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, 7th floor receptionist.



Hyung S. Soogh
Primary Examiner
Art Unit 3621

shs
September 9, 2002